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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,804	10/06/2003	Teresa Joanne Hunkeler	I-2-0388.1US	3395

24374 7590 04/17/2008

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PHILADELPHIA, PA 19103

EXAMINER
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HAILU, KIBROM T

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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04/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/679,804	<b>Applicant(s)</b> HUNKELER ET AL.	
	<b>Examiner</b> KIBROM T. HAILU	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 8,9,13-17,22 and 23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8,9,13-17,22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 8-9, 14-17 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds (US 7,149,524 B2) in view of Wang (US 6,693,912 B1).

Reynolds discloses a wireless transmit/receive unit (WTRU) (8) configured for mapping quality of service (QoS) requirements of a first type[[s]] of wireless communication system[[s]] to QoS requirements of a second type of wireless communication system (col. 5, lines 50-65), the WTRU comprising: an application configured to perform for performing a wireless service (Fig. 1; col. 2, lines 37-50); a transceiver to transmit and receive data using a bearer (Fig. 1; col. 2, lines 28-37).

Reynolds further discloses handing over or switching from the quality of service of the first wireless communication system to quality of service requirements of the second type of

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wireless communication system (col. 5, lines 50-65), plurality of wireless communication system (GSM, WLAN, WCDMA) and their corresponding bearers (Fig. 1), and a session established in the first wireless communication system using a first bearer may continue when the WTRU hands over to the second type of wireless communication system using a second bearer (col. 5, lines 50-55; col. 3, lines 55-64; col. 1, lines 13-21). However, Reynolds doesn't explicitly disclose a translator configured to translate quality service requirements of the first communication system to quality of service requirements of the second communication system.

Wang teaches a translator configured to translate quality service requirements of the first communication system to quality of service requirements of the second communication system (col. 1, lines 23-27, 59-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use translating the QoS requirements as taught by Wang into the communication networks of Reynolds in order to provide an improved arrangement which doesn't add to cost or complexity of the mobile station or terminal.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reynolds in view of Wang, as applied to claim 9 above, and further in view of Persson et al. (US 7,206,324 B2).

As applied above, Reynolds discloses plurality of wireless communication networks (such as CDMA) and hand over between them (Fig. 1). Reynolds doesn't explicitly disclose the first type of wireless communication system is UMTS.

Persson teaches the first type of wireless communication system is UMTS (col. 2, lines 24-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the UMTS of Persson into the communication networks of Reynolds so that the communication session would not be interrupted when the user enters into the UMTS network environments.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIBROM T. HAILU whose telephone number is (571)270-1209. The examiner can normally be reached on Monday-Thursday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on (571)272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kibrom T Hailu/

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/Ricky Ngo/

Supervisory Patent Examiner, Art Unit 2616